

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

BERNADETTE CUNNINGHAM AND )  
ROSALIND JOHNSON, INDIVIDUALLY, )  
AND AS ADMINISTRATRIX OF THE )  
ESTATE OF NEKEY A. MAGSBY, )  
DECEASED, )

Plaintiffs )

v. )

MICHELIN NORTH AMERICA, INC., )  
MICHELIN AMERICAS RESEARCH & )  
DEVELOPMENT CORP., GENERAL )  
MOTORS CORPORATION, )

Defendants )

No. 1-04-1144-T/AN

**MOTION OF DEFENDANTS TO FILE REPLY TO PLAINTIFF'S REPOSE TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AS TO CLAIMS OF  
NEKEYA MAGSBY**

Come now the Defendants, Michelin North America, Inc. ("MNA") and Michelin American Research & Development Corp. ("MARC"), by and through counsel, and request of this Honorable Court permission to file a reply brief to Plaintiffs' Response to Defendants' Motion for Summary Judgment as to Claims of Nekey Magsby. (The proposed Reply is attached hereto as Exhibit A). Thereafter, defendants filed a response to the plaintiffs' motion. In support of this Motion, Defendants submit the contemporaneously filed Memorandum in Support of this Motion.

**MOTION GRANTED**

DATE: 25 Nov 2005

James D. Todd

James D. Todd  
U.S. District Judge

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D.C.

CLERK U.S. DISTRICT COURT  
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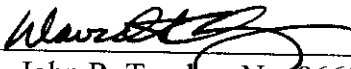
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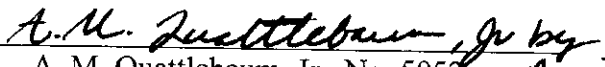
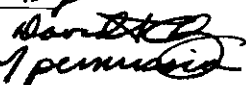
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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been served on the following counsel of record in the manner of service indicated below:



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By placing document in third party express delivery carrier, i.e., Federal Express, for overnight delivery to the following counsel of record:



By sending document via facsimile to:



By causing the foregoing to be hand delivered to counsel of record at the following address

This the 28<sup>th</sup> day of October, 2005.

David H. [Signature]



## Notice of Distribution

This notice confirms a copy of the document docketed as number 83 in case 1:04-CV-01144 was distributed by fax, mail, or direct printing on November 28, 2005 to the parties listed.

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